



# Handling Issues with Dual Labels



Arizona Department of Education  
Office of English Language Acquisition Services  
Exceptional Student Services

December 7, 2011

# No Child Left Behind Act of 2001

## Title III Language Instruction for Limited English Proficient and Immigrant Students



### **Sec. 3212 Program Enhancement Activities**

(a)(2)(B)(vii): assisting limited English proficient children with disabilities

### **Sec. 3213 Comprehensive School and Systemwide Improvement Activities**

(a)(3)(H): assisting limited English proficient children with disabilities

# No Child Left Behind Act of 2001

## Title III Language Instruction for Limited English Proficient and Immigrant Students



### Sec. 3214 Applications

(h)(3)(B): limited English proficient children with disabilities will be identified and served through the program in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA)

### Sec. 3217 Evaluations

(c)(2): disaggregate the results of the evaluation by gender, native languages spoken by children, socioeconomic status, and whether the children have disabilities

# Arizona Revised Statutes

## 15-751 — 15-757

### English Language Education for Children in Public Schools



#### **15-752 English language education**

Foreign language classes for children who already know English shall be completely unaffected, as shall special educational programs for ...

#### **15-755 Standardized testing for monitoring education progress**

All students with disabilities shall be included in all general state and district assessments, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education program, in accordance with 20 United States Code section 1412.

# Arizona Administrative Code

## R7-2-306 English Language Learner Programs



### R7-2-306 (D)

Assessment of students in special education or in the special education referral process. If a multidisciplinary evaluation or IEP team finds the procedures prescribed in subsections (B) and (C) inappropriate for a particular special education student, the LEA shall employ alternate procedures for identifying such students or assessing their English language proficiency. Persons conducting the English language assessment shall participate with the special education multidisciplinary evaluation or IEP team in the determination of the student's English language proficiency designation.



# Arizona Administrative Code

## R7-2-306 English Language Learner Programs



### R7-2-306 (H)

Reassessment of special education students for English language reclassification. If a multidisciplinary evaluation or IEP team finds the procedures prescribed in subsection (G) inappropriate for a particular special education student, the LEA shall employ alternate procedures for reassessing the student for purposes of English language reclassification. Persons conducting the English language reassessment shall participate with the special education multidisciplinary evaluation or IEP team in the determination of the student's English language proficiency designation.



# Q & A — Guidance

- **Do the requirements for assessing LEP students' English language proficiency under Title I and Title III apply to LEP/Special Education?**

**YES.**

LEAs must provide annual assessments of English proficiency (measuring oral language, reading and writing) for all LEP students.

NCLB Sec. 1111 (b)(7)

NCLB Sec. 3113 (b)(3)(D)



# Q & A — Guidance

- **What are some of the ways in which LEP students with disabilities can participate in ELP assessments?**

Students with disabilities can participate:

- without accommodations; or
- with State-approved accommodations appropriate for their disability; or
- in partial administration, if determined appropriate by the IEP team.



# Q & A — Guidance

## ➤ Partial Assessment Administration

- Students with a specific learning disability in reading and/or writing may be given the listening and speaking subtests of the ELP assessment.
- Students may be given alternate assessments for any domain of the ELP assessment.
- Submit partial AZELLA assessments to Pearson for scoring.





# Q & A — Guidance

- **If the IEP team determines that the AZELLA is not an appropriate assessment and an alternate assessment will be utilized, how can the student be classified ELL in SAIS?**

There must be an AZELLA transaction in SAIS:

- The appropriate AZELLA answer booklet with the demographic page filled out must be submitted to Pearson for scoring.
- The student must be entered into the ELL program in SAIS.



# Q & A — Guidance

- **Is it appropriate to continue an annual ELP assessment, even if the student may always score as a non-reader due to his/her disability?**

**YES.**

**ALL** LEP students, including those with disabilities, should have the opportunity to show what they know and what they are able to do in English.

# Q & A — Guidance

- **What should the IEP team consider when a student with disabilities is assessed with the ELP assessment, using appropriate accommodations?**

The accommodations must NOT invalidate results from the ELP assessment.

- **Ways to invalidate results**

- Reading the Reading Subtest to the student **(invalid result)**.
- Writing portions completed by a scribe **(invalid result)**.
- Signing the Reading Subtest to the student **(invalid result)**.



# Q & A — Guidance

- **Are the ELP assessment results for LEP students with disabilities included on the LEA's Annual Measurable Achievement Objectives (AMAOs)?**

**YES.**

Results from all LEP students' ELP assessments are included in the LEA's AMAO calculations:

- 1) ELLs making progress;
- 2) ELLs reclassified; and
- 3) ELL Subgroup makes Adequate Yearly Progress (AYP).





# Accommodations

- **ELP Assessment - AZELLA Form AZ-2**
  - AZELLA Form AZ-2 does NOT have a Braille version
  - Must be given at student's correct grade level

## **General accommodations**

Additional breaks; familiar assessor/setting; simplify instructional language; read/sign instructions; read/sign writing prompt; enlarged print (done by copy machine); a different time of day; small group or individual setting; pencil grip; repeat instructions; preferential seating; special furniture; noise buffers; place markers; color overlay; magnification

See ADE Web site: OELAS at <http://www.azed.gov/english-language-learners/>

Testing Accommodations for AZELLA: <http://www.azed.gov/wp-content/uploads/PDF/TestAccommodationsfortheAdministrationoftheAZELLA-April2010.pdf>



# Q & A — Guidance

LEAs who have classified personnel administering the ELP assessment might want to have the ELL coordinator and/or ELL teachers gather the assessment information and attend the IEP meeting as the language acquisition representative(s).



# Q & A — Guidance

Members of the IEP team must include (IDEA §300.321 (a)):

- parent
- general education teacher
- special education teacher
- LEA administrator or representative
- a person who can interpret the instructional implications of the evaluation results

Members of the IEP team may include (IDEA §300.321 (a)):

- the student, when appropriate
- psychologist
- speech-language pathologist
- occupational therapist
- physical therapist
- ELL coordinator (or ELL teacher, or ELL assessor)
- nurse/medical assistant
- other individuals who have knowledge or expertise regarding the child

# Q & A — Guidance

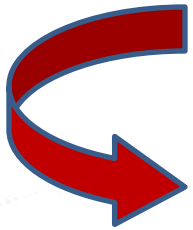


## ➤ Which individuals should be included on the IEP team?

Professionals who have

- expertise/knowledge in all educational areas,
- including language acquisition and speech,
- and other representatives regarding needs and services that need to be addressed regarding a student with disabilities.

# Q & A — Guidance



**The IEP team's decisions need to be documented in the student's IEP. This documentation drives the educational program and all services for the student and supersedes Arizona Revised Statutes and Arizona Administrative Code.**



# Q & A — Guidance



- **When does the issue become a “disability issue” not a “language issue?”**
  - Once the IEP team determines the student has had sufficient ELL services (there is no limit on the number of years for ELL services).
  - When language development is comparably delayed in home language and English and the severity of the disability is likely to result in insufficient language development.
  - The student is withdrawn from the ELL program in SAIS using the exit code “Withdrawn due to SPED Criteria” and the exit date.



# Things to Remember . . .

- AZELLA “IN” and AZELLA “OUT”  
Except for “Parent Request for Student Withdrawal from an English Language Learner Program” or “Withdrawn due to SPED Criteria”
- AZELLA is given to students at the appropriate grade level.
- AZELLA has general accommodations only.
- Students who qualify for ELL services and are labeled as “LEP” will be counted in the LEA’s AMAO calculations.
- Students with dual labels (ELL/Special Education) should have annual IEP updates in order to check English proficiency and academic achievement progress.

# Questions or Comments?



Thank you for your participation.

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